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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578,940	05/09/2006	Wolfgang Friedrich	2004P05249WOUS	5145

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SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER

GOOD JOHNSON, MOTILEWA

ART UNIT	PAPER NUMBER
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2628

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07/08/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/578,940	Applicant(s) FRIEDRICH ET AL.	
	Examiner M GOOD JOHNSON	Art Unit 2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/09/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 19-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Ellenby et al., U.S. Patent Number 5,815,411.

Regarding claim 19, Ellenby discloses a system for presenting information to at least one user, comprising: at least one recording unit (camera 9) for scanning an environment and for generating corresponding environment information identifying a position or an orientation of the system relative to the environment (col. 4, lines 59-60); at least one simulation system for generating simulation data (figure 4, computer 14, which Examiner interprets as a simulation system); and at least one processing unit (CPU 24) configured to: continuously adapt image data stored in a first memory (23) based upon the simulation data (col. 4, lines 62-65, also col. 13, lines 44-64); and link the environment information to the adapted image data (col. 3, lines 60-64).

Regarding claim 20, Ellenby discloses wherein the processing unit is further configured to: calculate concealments of virtual objects corresponding to concealments of real objects arranged in a recording range of the system based upon the image data; and generate a volume data set representing the virtual objects, wherein such surfaces of the virtual objects corresponding to concealed surfaces of the real objects are hidden (col. 7, lines 38-51).

Regarding claim 21, Ellenby discloses further comprising at least one display unit (13) for displaying the volume data set (col. 4, lines 66-67).

Regarding claim 22, Ellenby discloses further comprising at least one application controller having an interface for controlling the simulation system (figure 4, elements 25 and 27, col. 7, lines 50-54).

Regarding claim 23, Ellenby discloses wherein the application controller is further configured to interact with a real process of the environment via the interface (col. 7, lines 54-67).

Regarding claim 24, Ellenby discloses further comprising a second memory (12, datastore connected to GPS) for holding current status values acquired from the real process (col. 10, lines 40-45, figure 4).

Regarding claim 25, Ellenby discloses wherein the status values include sensor values (col. 10, lines 40-50).

Regarding claim 26, Ellenby discloses wherein a simulation sequence created by the simulation system is continuously adapted based on the status values (col. 3, lines 61-65).

Regarding claim 27, Ellenby discloses further comprising at least one process link to the real process such that a status of the real process can be changed by the system via the interface (col. 10, lines 10-27).

Regarding claim 28, Ellenby discloses further comprising a third memory having reconstruction data, the reconstruction data configured to reconstruct a real process simulated by the simulation system (col. 7, lines 55-65).

Regarding claim 29, Ellenby discloses a method of presenting information to at least one user, comprising: scanning an environment by at least one recording unit (col. 3, line 65- col. 4, lines 3, camera defines direction of viewing as a camcorder type video camera to represent the real scene, which Examiner interprets as scanning an environment by at least one recording unit); generating corresponding environment information identifying a position or an orientation of the system relative to the environment, by the recording unit (col. 4, lines 50-62); generating simulation data by at least one simulation system (col. 4, lines 15-16, vision system including a database with information regarding scenes, which Examiner interprets as simulation data); continuously adapting image data stored in a first memory based upon the simulation data, by at least one processing unit (col. 4, lines 17-24); and linking the environment information to the adapted image data, by the processing unit (col. 4, lines 17-24).

Regarding claims 30-36, they are rejected based upon similar rational as above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M GOOD JOHNSON whose telephone number is (571)272-7658. The examiner can normally be reached on Monday-Friday 8-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Motilewa Good-Johnson/
Primary Examiner, Art Unit 2628